

S.B. Criminal Miscellaneous Petition No. 800/2006
(Tulsi Ram & ors. Vs. State of Rajasthan & Anr.)

Date of Order: July 11, 2006

HON'BLE MR. H.R. PANWAR, J.

Mr. M.K. Garg, for the petitioners.
Mr. Ashok Upadhyaya, Public Prosecutor for the State.

By the instant criminal miscellaneous petition under Section 482 Cr.P.C., the petitioners have assailed the order dated 19-6-2006 passed by the Additional Sessions Judge, Anoopgarh, district Sri Ganganagar (for short, "the Revisional Court" hereinafter) in Criminal Revision No.3A/2006, whereby the revision petition filed by the petitioners against the order dated 3.12.2005 passed by the Judicial Magistrate, Anoopgarh in Criminal Case No 497/2005, was dismissed.

The trial Court took cognizance against the petitioners for the offences under Sections 467, 468, 471 and 120-B IPC. I have carefully gone through the orders of the Revisional Court as well as of the trial Court. Both the courts below concurrently found a prima facie case against the petitioners for the aforesaid offences. I do not find any error, illegality or perversity in the order impugned warranting interference in the extraordinary jurisdiction under Section 482 Cr.P.C.

At this stage, learned counsel for the petitioners

submits that the petitioners will appear and surrender before the trial Court and move a regular bail application. If the petitioners surrender before the trial Court on 24-7-2006 and move regular bail application(s), the trial Court shall decide the bail application so filed by the petitioners on the very day in accordance with law.

The criminal miscellaneous petition is dismissed. Till 24-7-2006, the non-bailable warrant issued against the petitioners shall not be executed. However, it is made clear that if the petitioners fail to surrender before the trial Court on 24.7.2006, it will be open for the trial Court to secure their presence of the petitioners by non-bailable warrant.

(H.R. PANWAR), J.

mcs